

January 31, 1973

(Start of Belt #5)

railroad crossings should be closed. If you will note the language, the present language in the bill on line 13 through 21, that when it is determined that such a grade crossing should be eliminated by closing the street, the amendment provides that when the closing of a railroad crossing is agreed upon by the department of roads, the local entity, and the railroad, so it changes from, when it is determined, it changes to, when it is agreed upon, it also changes the amount of money that shall be paid to the local entity providing the grade crossing is closed. The original bill provides for a payment of twelve thousand dollars, the amendment would provide that payment shall be not less than two thousand dollars, shall be the amount of cost, not less than two thousand dollars, or not greater than twelve. I move the committee amendment.

SPEAKER: You've heard the explanation of the amendment and the motion to adopt it, is there any discussion? If not all those in favor of the amendment say aye, those opposed no, the amendment is adopted. Are there any further amendments?

CLERK: None Mr. President.

SPEAKER: What will you do with the bill? Senator Barnett.

SENATOR BARNETT: I move we advance LB 144 to E&R initial. The purpose for this bill is two-fold. It will probably be the answer for a lot of our railroad crossings that we have had throughout the state where we can't get them vacated, get some of the reasons for these railroad crossing fatalities cleared up and out of the way. Under the present law there is no specific provisions for the protection or elimination of these crossings and this will take care of this under this procedure. It does change the contributing factor it brings the state in to more play, as I understand there is a grade crossing fund that hasn't been touched for about two years. Under this bill we are hoping in the areas where you have grade crossings that are high risk, that you will apply to have these grade crossings eliminated or made safe for the automobiles in the state of Nebraska. In here under this bill that any division that has a railroad transportation safety district that they fund it themselves completely. I would hope that you'd see favor in adopting LB 144 and passing it on to E&R initial.

SPEAKER: Is there any further discussion? Senator Clark.

SENATOR CLARK: I'd like to ask Senator Barnett a question or two.

SPEAKER: Will you yield Senator?

SENATOR CLARK: How much money is in the grade crossing fund now, do you know?

SENATOR BARNETT: I understand that there is about seven hundred and some thousand dollars, a two year accumulation, I understand it.

SENATOR CLARK: There will be no A bill with this then, out of the funds.

SENATOR BARNETT: No there won't.

SENATOR CLARK: Thank you.

SPEAKER: Is there any further discussion? If not are you ready for the question? Senator Maresh.